



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant | : | Bradley C. LINDEN, <i>et al.</i> | Confirmation No. 3233 |
| Appl. No. | : | 09/121,368 | |
| Filing Date | : | July 23, 1998 | |
| Title | : | INTRA-EXTRAVASCULAR DRUG DELIVERY CATHETER AND METHOD | |
| TC/A.U. | : | 3732 | |
| Examiner | : | Cris Loiren RODRIGUEZ | |
| Docket No. | : | 12013/49101 | |
| Customer No. | : | 23838 | |

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RESPONSE TO FEBRUARY 1, 2008 OFFICE ACTION

SIR:

In response to the Office Action mailed February 1, 2008 in the above-identified application, the Applicant respectfully submits the following remarks.

Supplemental Reissue Declarations

The Office Action rejects the claims as being based on a defective reissue declaration. The Office Action states that the declarations on file do not include proper acknowledgement of the applicant's duty of disclosure.

In response to this rejection, accompanying this response are supplemental reissue declarations by each of the four inventors including proper acknowledgement of the duty of disclosure.

3.73(b) Statement

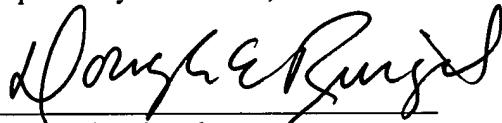
The Office Action states that the 3.73(b) statement is improper. The Office Action states that the file does not indicate that the person signing the Assent of Assignee statement filed July 23, 1998, Luke R. Dohmen, was duly authorized to act on behalf of the assignee.

In response to this rejection, accompanying this response is a document executed by an officer of the assignee, effective October 1997 through December 1998, authorizing Luke R.

Dohmen (among others) to act on behalf of the assignee. Luke R. Dohmen is the senior patent attorney who signed the Assent of Assignee statement filed July 23, 1998. Thus, the accompanying document was in effect at the time the Assent of Assignee was signed.

In view of the accompanying documents and the above remarks, Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance. The Examiner is invited to contact the undersigned at (202) 220-4420 to discuss any matter concerning this application. The Office is authorized to charge any fees related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,



By:

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Dated: June 2, 2008

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